

for responsive pleadings as detailed herein. In support of this unopposed Motion, Lead Plaintiffs state as follows:

1. On June 6, 2016, the Court entered an order adopting the parties' proposed schedule for the filing of an amended complaint and briefing on any motion to dismiss. *See* ECF No. 54.

2. Pursuant to this schedule, Lead Plaintiffs filed their First Amended Class Action Complaint for Violations of the Federal Securities Laws on July 25, 2016 ("FAC"). *See* ECF No. 55.

3. After the FAC was filed, Lead Plaintiffs' counsel learned that the alleged materially false and misleading statements made by Defendant John Craig Thompson were inadvertently omitted from the FAC.

4. Accordingly, Lead Plaintiffs' counsel immediately contacted counsel for Defendants on August 1, 2016 to request Defendants' consent to amend the FAC and provided Defendants' counsel with a proposed amended complaint in redline format on August 2, 2016.

5. Counsel for Defendants informed Lead Plaintiffs' counsel on August 8, 2016 that they take no position on Plaintiffs' Motion for Leave to Amend the FAC.

6. Fed. R. Civ. P. 15(a) provides that a party may amend its pleading "with the opposing party's written consent or the court's leave," and that "[t]he court should freely give leave when justice so requires."

7. This is Lead Plaintiffs' first request to amend their complaint and Defendants will not suffer any prejudice from the amendment.

8. Lead Plaintiffs and Defendants have agreed to request an extension until October 11, 2016 for Defendants to file any responsive pleading or motion in this action, including any

motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6), and to request that the prior rulings of the Court apply to these amended pleadings.

9. Thereafter, Lead Plaintiffs will file responses to any motion to dismiss filed by Defendants in this action within sixty days, by December 12, 2016, and Defendants will file replies within thirty days thereafter, by January 12, 2017.

10. The proposed schedule represents only a short extension from the prior briefing schedule approved by the Court.

WHEREFORE, Lead Plaintiffs respectfully request leave to file the SAC attached hereto as Exhibit B, and ask the Court to enter the proposed order that has been attached hereto as Exhibit A.

Dated: August 11, 2016

Respectfully Submitted,

/s/Shannon L. Hopkins

Shannon L. Hopkins (BBO # 657485)

LEVI & KORSINSKY LLP

733 Summer Street, Suite 304

Stamford, Connecticut 06901

Tel.: (203) 992-4523

Fax: (212) 363-7171

shopkins@zlk.com

*Counsel for Plaintiff Newvana and Co-Lead
Counsel for the Class*

Donald Broggi

Max Schwartz

SCOTT & SCOTT, ATTORNEYS AT LAW, LLP

The Chrysler Building

405 Lexington Avenue, 40th Floor

New York, NY 10174

Tel.: (212) 223-6444

Fax: (212) 223-6334

dbroggi@scott-scott.com

mschwartz@scott-scott.com

*Counsel for Plaintiff Plymouth and Co-Lead
Counsel for the Class*

CERTIFICATE OF SERVICE

I, Shannon L. Hopkins, hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on this 11th day of August 2016.

/s/Shannon L. Hopkins

Shannon L. Hopkins